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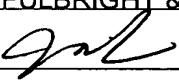
(to be used for all correspondence after initial filing)

		Application Number	09/744,622
		Filing Date	January 26, 2001
		First Named Inventor	Nicholas Bachynsky
		Art Unit	1614
		Examiner Name	C. Delacroix-Murheld
Total Number of Pages in This Submission		Attorney Docket Number	HO-P01615US1

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Certificate of Express Mailing Return Postcard
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	FULBRIGHT & JAWORSKI L.L.P.		
Signature			
Printed name	Jila Bakker		
Date	November 8, 2004	Reg. No.	53,962



Application No. (if known): 09/744,622

Attorney Docket No.: HO-P01615US1

Certificate of Express Mailing Under 37 CFR 1.10

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11-09-04

1614
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Docket No.: HO-P01615US1
Express Mailing No.: ER 509323648US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nicholas Bachynsky et al.

Application No.: 09/744,622

Filed: January 26, 2001

Art Unit: 1614

For: CHEMICALLY INDUCED INTRACELLULAR
HYPERTHERMIA Examiner: C. Delacroix-Muirheld

AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REMARKS

Dear Sir:

In response to the Restriction Requirement dated October 6, 2004, Applicants elect Group I, claims 1-14, and 54, without traverse. Applicants are also required to make a species election. Applicants hereby provisionally elect (1) the mitochondrial uncoupling agent 2,4 dinitrophenol as their first species and (2) the second therapeutic agent glucagon as their second species. Applicants identify claims 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, and 54 as reading on at least one of the elected species. Applicants note that they are entitled to file divisional applications to any cancelled or withdrawn claims. Applicants also note that upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.